

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA

v.

ALEJANDRO BARBA

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No. 3:08-CR-46
(Phillips)

ORDER

There being no timely objection by defendant, see 28 U.S.C. § 636(b)(1), and the court being in complete agreement with the magistrate judge, the Report and Recommendation (R&R) [Doc. 108] filed by the Honorable C. Clifford Shirley, United States Magistrate Judge, on November 28, 2008, is hereby **ACCEPTED IN WHOLE** whereby defendant's motion to dismiss Counts One and Two of the indictment, or in the alternative to obtain a bill of particulars of the indictment [Doc. 67]; and defendant's motion to dismiss Count One as duplicitous [Doc. 72] are **DENIED**.

ENTER:

s/ Thomas W. Phillips
United States District Judge